

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

**IN RE:
SEAMORE STATON, JR.
DEBTOR**

**CASE NO. 05-10684-8-JRL
CHAPTER 7**

**NOTICE OF PROPOSED PUBLIC SALE OF REAL PROPERTY
AND NOTICE OF COMPENSATION TO AUCTIONEER**

TO: ALL CREDITORS, INDENTURE TRUSTEES AND OTHER PARTIES IN INTEREST

In accordance with Bankruptcy Rules 2002(a), 6004 and 6007 and 11 U.S.C. Section 363, Notice is hereby given of the proposed auction and sale of real property of Seamore Staton, Jr. located at 232 Louis Jenkins Drive, Bethel, North Carolina and more particularly described in the Motion, filed on July 25, 2006 herewith by counsel by the Chapter 7 Trustee. The sale is subject to approval of bids by the Chapter 7 Trustee and subsequent confirmation by the Bankruptcy Court. All bids made prior to approval and confirmation are subject to rejection.

Notice is further given that the Trustee proposes to sell the property at public auction on **AUGUST 30, 2006 at 1:00 p.m.** or as soon as possible thereafter at or near **232 Louis Jenkins Drive, Bethel, North Carolina.**

The Trustee previously filed an application with the Court to approve the employment of Mike Gurkins, Country Boys Auction & Realty Co., Inc., as auctioneer, whose compensation shall be fixed at a rate not greater than the following:

REAL PROPERTY

10% on the first \$5,000.00
3% on the next \$10,000.00
2% on the next \$60,000.00
1.5% on the next \$120,000.00
1% on the balance

FURTHER NOTICE IS HEREBY GIVEN that this Sale may be allowed to proceed provided no response and request for a hearing is made by the Debtor(s), Trustee or other parties in interest in writing to the Clerk of this Court within **TWENTY (20) DAYS** from the date of this notice; and

FURTHER NOTICE IS HEREBY GIVEN that if a response and a request for hearing is filed by the Debtor, Trustee, or other parties in interest named herein in writing within the time indicated, a hearing will be conducted on the Motion and response thereto at a date, time and place to be later set by this Court and all interested parties will be notified accordingly. If no request for a hearing is timely filed, the Court may rule on the Motion and response thereto ex parte without further Notice.

DATE OF NOTICE: July 25, 2006

By: Peggy S. Levin
Attorney for Trustee
1701 Sunset Avenue, Suite 207
Rocky Mount, NC 27804
Phone 252 972-2279

CERTIFICATE OF SERVICE

I, Peggy S. Levin, of Craft, Levin & Abney, LLP certify:

That I am and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on the 25th day of July, 2006, I served a copy of the foregoing **NOTICE OF PROPOSED PUBLIC SALE OF REAL PROPERTY AND NOTICE OF COMPENSATION TO AUCTIONEER** by depositing same in the United States mail, first class, postage prepaid on all parties on the attached mailing matrix; and,
on the following by first class mail, postage prepaid:

Marjorie K. Lynch
U.S. Bankruptcy Administrator
PO Box 3758
Wilson, NC 27894

Allen C. Brown
Attorney at Law
PO Drawer 1909
Winterville, NC 28590

Seamore Staton, Jr.
PO Box 114
Parmelee, NC 27861

and on the following by certified mail, return receipt requested:

Jeff Niebauer, Tax Collector
Pitt County Tax Collector
111 S. Washington Street
Greenville, NC 27834

Daniel Weeks, Town Administrator
Town of Bethel
PO Box 337
Bethel, NC 27812

I certify under penalty of perjury that the foregoing is true and correct.

This the 25th day of July, 2006.

By: Peggy S. Levin
Attorney for Trustee
Craft, Levin & Abney, LLP
1701 Sunset Avenue, Suite 207
Rocky Mount, NC 27804
252 972-2279

American General
613 East Blvd., Suite A
Williamston, NC 27892

Capital One
PO Box 70884
Charlotte, NC 28272

CBUSA
PO Box 6003
Hagerstown, MD 21747

Chase Bank
800 Brooksedge Blvd.
Westerville, OH 43081

HFC
PO Box 17574
Baltimore, MD 21297

HSBC
PO Box 15524
Wilmington, DE 19850

Providian
PO Box 660487
Dallas, TX 75266

Time Financing Services
PO Box 784
Williamston, NC 27892

Wachovia
PO Box 3117
Winston-Salem, NC 27102